BOMBAY ACT No. XXXIV OF 1950.[1]

[THE CATTLE-TRESPASS AND BOMBAY DISTRICT POLICE (AMENDMENT) ACT, 1950.]

[*6th November 1950*]

An Act to amend the Cattle-trespass Act, 1871, in its application to the State of Bombay and the Bombay District Police Act, 1890.

I of 1871. Bom. IV of 1890.

WHEREAS it is expedient to amend the Cattle-trespass Act, 1871, in its application to the State of Bombay and the Bombay District Police Act, 1890, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Cattle-trespass and Bombay District Police (Amendment) Act, 1950.

I of 1871.

2. In the Cattle-trespass Act, 1871,—

Amendment of sections 10, 12 and 26 of, and insertion of new section 28A in, Act I of 1871.

(*1*) in section 10, after the words "or any part thereof" the following shall be inserted, namely:—

Bom. VI of 1933.

"or a watch and ward appointed by a panchayat established under the Bombay Village Panchayats Act, 1933, or any person authorised by the State Government in this behalf, either by name or by virtue of office,";

(*2*) in section 12,—

(*a*) the words "head of" shall be deleted;

(*b*) for the words "Different scales may be prescribed for different local areas" the following shall be substituted, namely:—

"Progressively increasing scales may be prescribed in respect of cattle belonging to or kept by the same person according to the number of cattle impounded at a time and the number of times such cattle are impounded and different scales may be prescribed for different local areas.";

(*3*) in section 26,—

(*a*) the first paragraph shall be numbered as sub-section (*1*) of that section;

(*b*) after sub-section (*1*) so numbered, the following sub-sections shall be inserted, namely:—

"(2) The Magistrate trying the offence under sub-section (*1*) may order,—

(*a*) that the accused shall pay such compensation, not exceeding two hundred and fifty rupees, as the Magistrate considers reasonable, to any person for any damage proved to have been caused to his crop or other produce of land by the accused committing the offence;

(*b*) that the pigs in respect of which the offence has been committed shall be forfeited to the State Government.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1950, Pt. V, page 231.

(*3*) Any compensation awarded under sub-section (*2*) may be recovered as if it was a fine imposed under this section." ;

(*c*) the second paragraph shall be numbered as sub-section (*4*) of that section and in sub-section (*4*) so numbered the words "the foregoing portion of" shall be deleted ;

(*4*) after section 28, the following section shall be inserted, namely :—

Offence under section 26 to be cognizable.

"28A. The offence under section 26 shall be cognizable."

3. [*The amendments made by section 3 have been incorporated in the Bombay District Police Act, 1890 (Bom. IV of 1890).*]